

IN RE: PETITION FOR SPECIAL EXCEPTION  
NW/Corner Cromwell Bridge Road  
and Glenaeles Court  
(1050 Cromwell Bridge Road)  
9th Election District  
4th Councilmanic District  
Case No. 90-48-X  
Josephine B. Offutt and  
Thomas B. Washburne, Trustees  
for James P. Offutt - Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception to use the subject property as a service garage for mobile phone installation and service, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Joseph Webb on behalf of GTE Cellular Communications Corporation, Contract Lessee, appeared, testified, and were represented by Newton A. Williams, Esquire. Also appearing on behalf of the Petition was Hugh Gelston, Real Estate Appraiser, and Paul Lee, a Registered Professional Engineer. There were no Protestants.

Testimony indicated that the subject property, known as 1050 Cromwell Bridge Road, consists of 0.759 acres more or less zoned M.L.-I.M. and is improved with a one-story masonry building. Mr. Webb testified that GTE has entered into a three-year lease agreement with Petitioners pending the outcome of the special exception hearing to use the subject building for the installation and service of mobile telephones. Testimony indicated that there will be no exterior changes to the existing structure, that only modifications to the interior will be made to include office space and three service bays. Mr. Webb testified that only three vehicles will be serviced at any one time and that no damaged vehicles will be stored on-site. Testimony indicated that the hours of operation will be from approximately 7:30 AM to 7:30 PM Monday through Friday, and,

although Petitioners have no immediate plans to be open for business on Saturdays, the hours would be from 8:00 AM to 5:00 PM if the customer base dictates.

Mr. Gelston testified the existing building was constructed as part of the Towson Industrial Park in the mid-1960s. He indicated the proposed use will be compatible with surrounding uses in the area and will be in keeping with the character of the M.L.-I.M. zone. Mr. Gelston testified that the site plan proposed provides adequate parking and stacking space. He further testified that the proposed use meets the special exception requirements set forth in Section 502.1.

It is clear that the B.C.Z.R. permits the use proposed in a M.L.-I.M. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone.

Schultz v. Pritts, 432 A.2d 1319 (1981).  
The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in

roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25th day of August, 1989 that the Petition for Special Exception to use the subject property as a service garage for mobile phone installation and service, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The special exception granted herein is limited to the installation and service of mobile telephones. There shall be no unrelated automotive service work performed on the premises.
- 3) There shall be no outside preparation or installation of mobile phones.
- 4) There shall be no outside storage of motor vehicles overnight.
- 5) There shall be no outdoor speaker system.

- 6) The hours of operation of the service garage portion of the proposed use shall be limited to from 7:30 AM to 7:30 PM Monday through Friday, and in the event the operation is expanded to include Saturday hours, said hours for Saturdays shall be limited to from 8:00 AM to 5:00 PM.
- 7) Landscaping shall be provided as required by the Baltimore County Landscape Manual.

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 274  
Posted for: Special Exception  
Petitioner: J.B. Offutt & T.D. Washburne, Trustees for James P. Offutt  
Location of property: 1050 Cromwell Bridge Road, Towson, Maryland 21204  
Location of Sign: 1050 Cromwell Bridge Road, Towson, Maryland 21204  
Remarks: 7:30 AM to 7:30 PM Monday through Friday, and in the event the operation is expanded to include Saturday hours, said hours for Saturdays shall be limited to from 8:00 AM to 5:00 PM.  
Posted by: [Signature]  
Number of Signs: 1

#### PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Service Garage Purposes (mobile phone installation and service).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):  
Josephine B. Offutt and Thomas D. Washburne  
(Trustees Under Irrevocable Trust Agreement)  
(Type or Print Name)  
Signature: [Signature]  
Address: 1050 Cromwell Bridge Road  
Towson, Maryland 21204  
City and State: 382-5052

Attorney for Petitioner:  
Newton A. Williams, Esquire  
Nolan, Plumbhoff & Williams, Chd.  
(Type or Print Name)  
Signature: [Signature]  
Address: 1600 Maryland National Bank  
10 Light Street  
Baltimore, Maryland 21202  
City and State: 823-7800

Name, address and phone number of legal owner, contractor, purchaser or representative to be contacted:  
Newton A. Williams, Esquire  
1105 Hampton Plaza  
300 E. Joppa Road  
Towson, Maryland 21204  
City and State: 823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of August, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of August, 1989, at 9:30 o'clock A.M.

J. Robert Hines  
Zoning Commissioner of Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Hines  
Zoning Commissioner

August 25, 1989

Newton A. Williams, Esquire  
Nolan, Plumbhoff & Williams  
Court Towers, Suite 700  
210 West Pennsylvania Avenue  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION  
NW/Corner Cromwell Bridge Road and Glenaeles Court  
(1050 Cromwell Bridge Road)  
9th Election District - 4th Councilmanic District  
Josephine B. Offutt and Thomas D. Washburne, Trustees  
for James P. Offutt - Petitioners  
Case No. 90-48-X

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:djs

cc: People's Counsel

File

Paul Lee P.E.

Paul Lee Engineering Inc.  
501 W. Pennsylvania Ave.  
Towson, Maryland 21204  
301-821-5341

#### DESCRIPTION

1050 CROMWELL BRIDGE ROAD  
NINTH ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point, said point being located on the north side of Cromwell Bridge Road S 69°33'28" W 45 feet from the center of Glenaeles Court, thence binding on the north side of Cromwell Bridge Road (1) S 69°33'28" W 125 feet, thence leaving said north side of Cromwell Bridge Road (2) N 20°26'32" W 250 feet and (3) N 69°33'28" E 111.34 feet to the west side of Glenaeles Court, thence binding along the west side of Glenaeles Court by a curve to the right (4) R=670 feet for a length of 196.68 feet, and (5) S 20°26'32" E 41.13 feet, and (6) S 24°33'28" W 21.21 feet to the point of beginning.

Containing 0.759 acre of land, more or less.



Engineers - Surveyors - Site Planners 5/2/89

PLEASE PRINT CLEARLY

Petitioner  
PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Newton A. Williams Esq.	700 Court Towers, 21204
Paul Lee	301 W. Pennsylvania Ave.
Joseph Webb	1050 Cromwell Bridge
Hugh Gelston RE.	1400 Goodbarck St - Phoenix



F. Service Station on S/S of  
Cromwell Bridge Rd. opp.  
site





I. Electrical Distributor adjacent to 1050 to West.



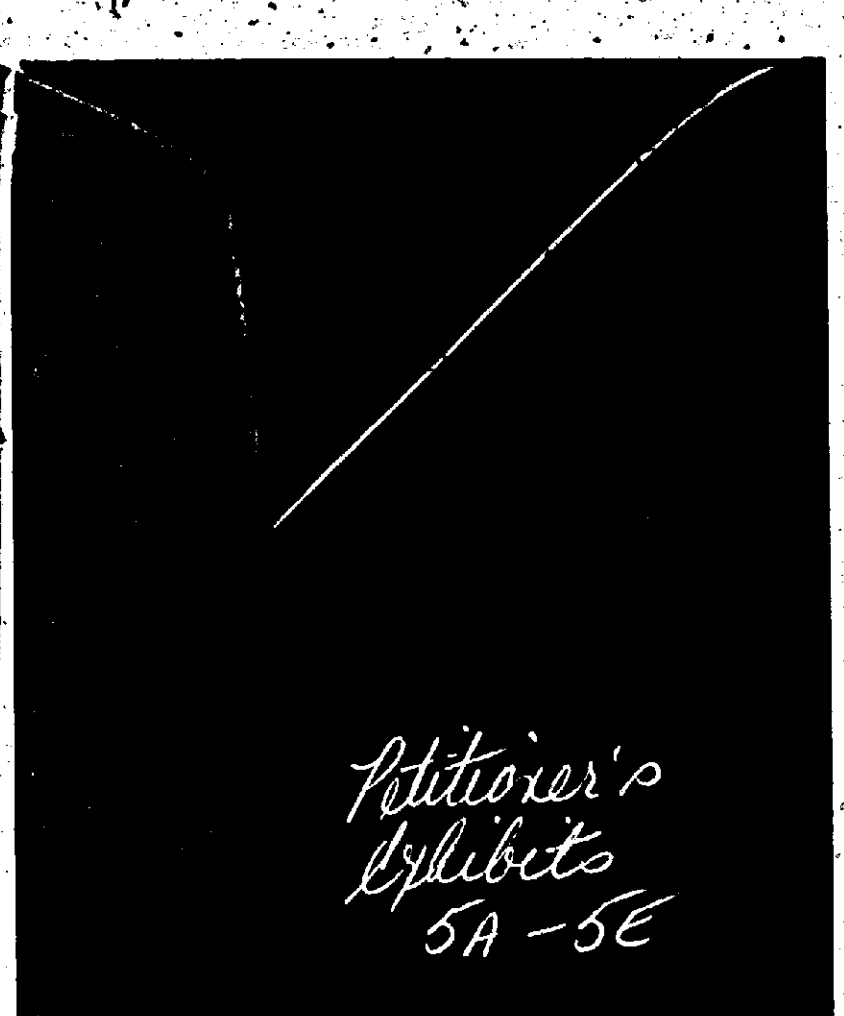
J. Tending farm on E/S of Glenview Ct. behind Hotel



K. Hotel Entrance on E/S of Glenview opp. site



L. Rear of Motel-Bungalo opp. Prop. fenced along yard



Pittsinger's Exhibits 5A-5E

# SAVE ALL STREET

VOL. CCXIV NO. 29 FRIDAY, AUGUST 11, 1989

## Phone Fixation

Once High-Tech Toys, Cellular Telephones Are Becoming Staples

Cars, Golf Courses, Even Yosemite Can Be Offices. But at a Cost to Serenity

Why Makers Stocks Are Hot

By JULIE AMERSON LORZ

It's a typical morning on the Santa Monica freeway. Lumber to bumper traffic...

Q: The cellular phone in my hand, Mr. Stewart, is a clear 90 miles away about a new ad campaign...

Q: "A sign's playing, the cellular phone is fast becoming a fixture of American life. Sales agents and deal makers move them. Lawyers and managers...

Remember when a train to plane ride was an ordeal of transference? Amtrak now has buses in trains, most airlines are putting them aboard, and there's even talk of installing cellular phones along the rail trails in forests and parks...

## What's News

Business and Finance

World-Wide

THE DOW JONES INDUSTRIALS passed 2700 for the first time in nearly two years, closing at a post-crash record of 2712.63, up 26.55. The average briefly topped its all-time closing high of 2722.42 before profit-taking nudged it down. Bonds also rallied, and the dollar rose. Meanwhile, the strength of U.S. stocks is being matched in foreign markets...

Marvin Davis and UAL held talks last night, with the investor hoping to maintain momentum in his \$5.4 billion, \$240-a-share takeover bid. UAL's stock rose \$2.25 to \$51.125.

RJR Nabisco plans to eliminate 1,600 jobs at all levels of its tobacco unit as part of a major cost-cutting drive. The cuts would be spread over the next two years...

U.S. grain output is forecast to increase sharply this fall, indicating most American farmers have rebounded from last year's drought. Still, the recovery may fall short of expectations, particularly in corn.

Three small insolvent thrifts had their deposits transferred to new owners, becoming the first S&Ls to be bailed out under the new law.

The FDA began a crackdown on generic drug firms involved in fraudulent activities. It revoked recent drug approvals for Par Pharmaceutical and American Therapeutics.

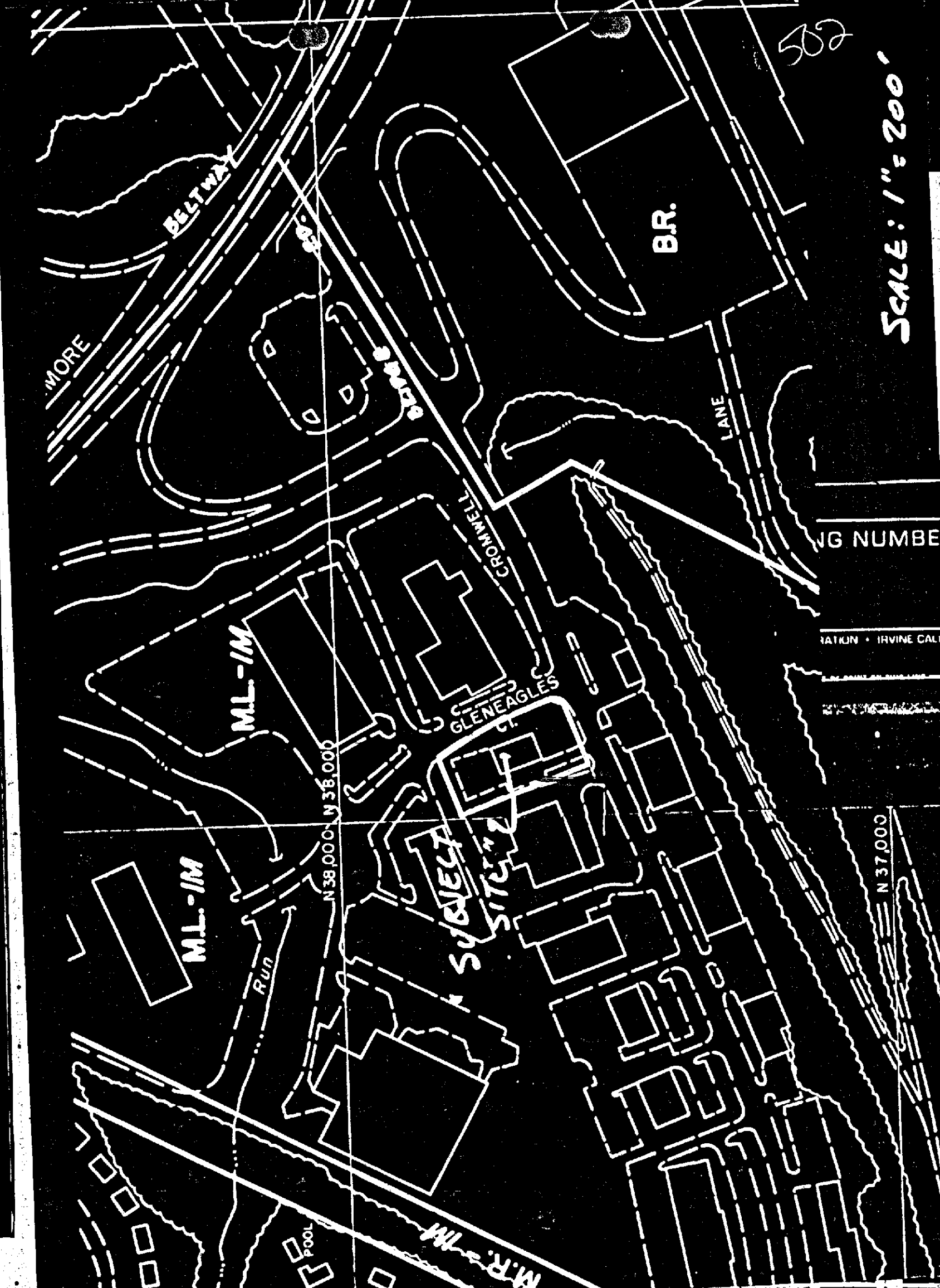
Procter & Gamble's profit rose 22% in its fiscal fourth quarter despite a steep restructuring charge. Much of the gain came from cost cutting.

Hilton Hotels has begun seeking a buyer for all or part of the hotel and casino company. The widely expected move sent Hilton's stock down \$3.875, to \$108, in heavy trading.

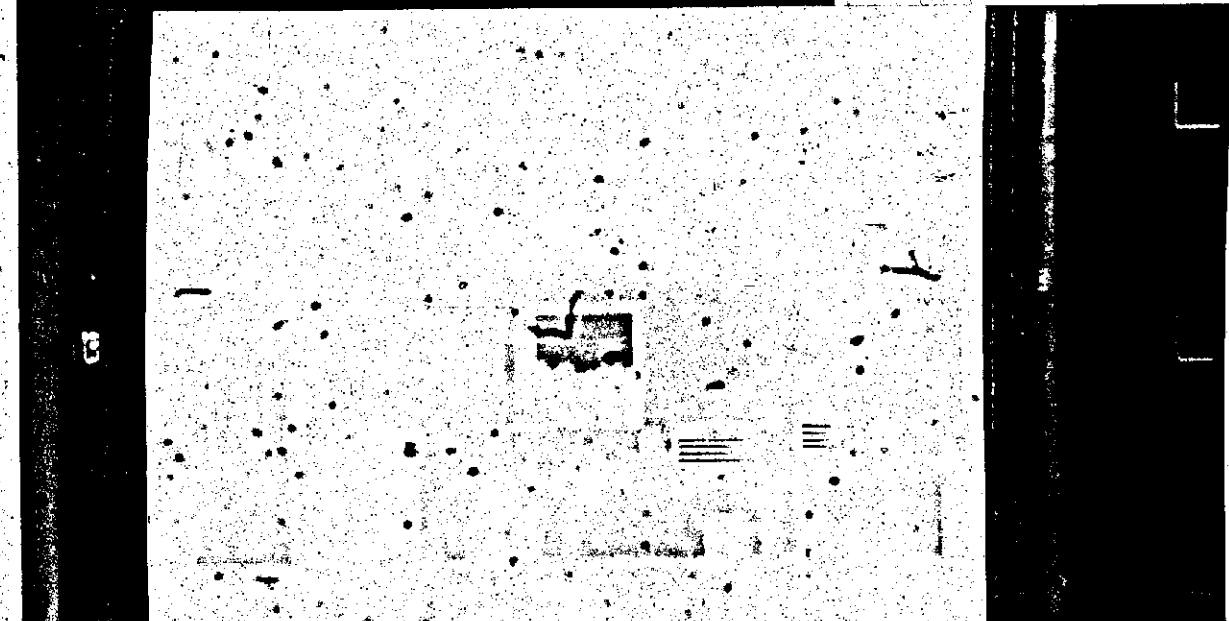
## The World of GTE



GTE is a multinational corporation, operating in 46 states and 41 countries, with combined revenues and sales of \$16.5 billion, net income of \$1.2 billion and assets of \$31.1 billion in 1988. It is a leader in its three core businesses—telecommunications, lighting and precision materials—providing quality products and services.



SCALE: 1" = 200'





# BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 2, 1989

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Newton A. Williams, Esquire  
Nolan, Plumbhoff & Williams, Chtd  
1105 Hampton Plaza  
300 E. Joppa Road  
Towson, MD 21204

RE: Item No. 502, Case No. 90-48-X  
Petitioner: Josephine B. Offutt, et al  
Petition for Special Exception

Dear Mr. Williams:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE. ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: CTE Cellular Communications Corp.  
Ms. Josephine B. Offutt  
Mr. Thomas D. Washburne

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner



Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this  
7th day of June, 1989.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

*James E. Dyer*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Josephine B. Offutt, et al  
Petitioner's Attorney: Newton A. Williams

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
(301) 887-3554

July 24, 1989

RECEIVED  
AUG 3 1989



Dennis F. Rasmussen  
County Executive

ZONING OFFICE

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
TOWSON, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 407, 417, 503, 504, 505, 506, 507, 508, 509, 510 and 512.

Very truly yours,

*Michael S. Flanagan*  
Michael S. Flanagan  
Traffic Engineer Associate II

MSF/lab

Baltimore County  
Fire Department  
800 York Road  
Towson, Maryland 21204-2586  
(301) 887-4500  
Paul H. Rotzke  
Chief

JUNE 12, 1989



Dennis F. Rasmussen  
County Executive

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: JOSEPHINE B. OFFUTT & THOMAS D. WASHBURN  
Location: 11050 CROMWELL BRIDGE ROAD  
Item No.: 502 Zoning Agenda: JUNE 6, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Paul H. Rotzke* Noted and Approved  
Planning Group  
Special Inspection Division  
Fire Prevention Bureau

JK/KER

## BALTIMORE COUNTY, MARYLAND INTER OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 20, 1989  
FROM: Robert W. Bowling, P.E.  
RE: Zoning Advisory Committee Meeting  
for June 6, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 502, 503, 505, 506, 507, 509, and 512.

For items 417 and 510 the previous County Review Group comments are still valid.

Comments are attached for item 407.

For item 504, Oak Avenue shall ultimately be improved as a 30-foot street cross-section on a 50-foot right-of-way.

For item 508, parking should not be set up to back out onto future Craddock Lane.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:s

Encl.

## BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Offutt and Washburne, Item 502  
Zoning Petition No. 90-48-A

The petitioners request a Special Exception for a service garage. In reference to this request, staff offers the following comments:

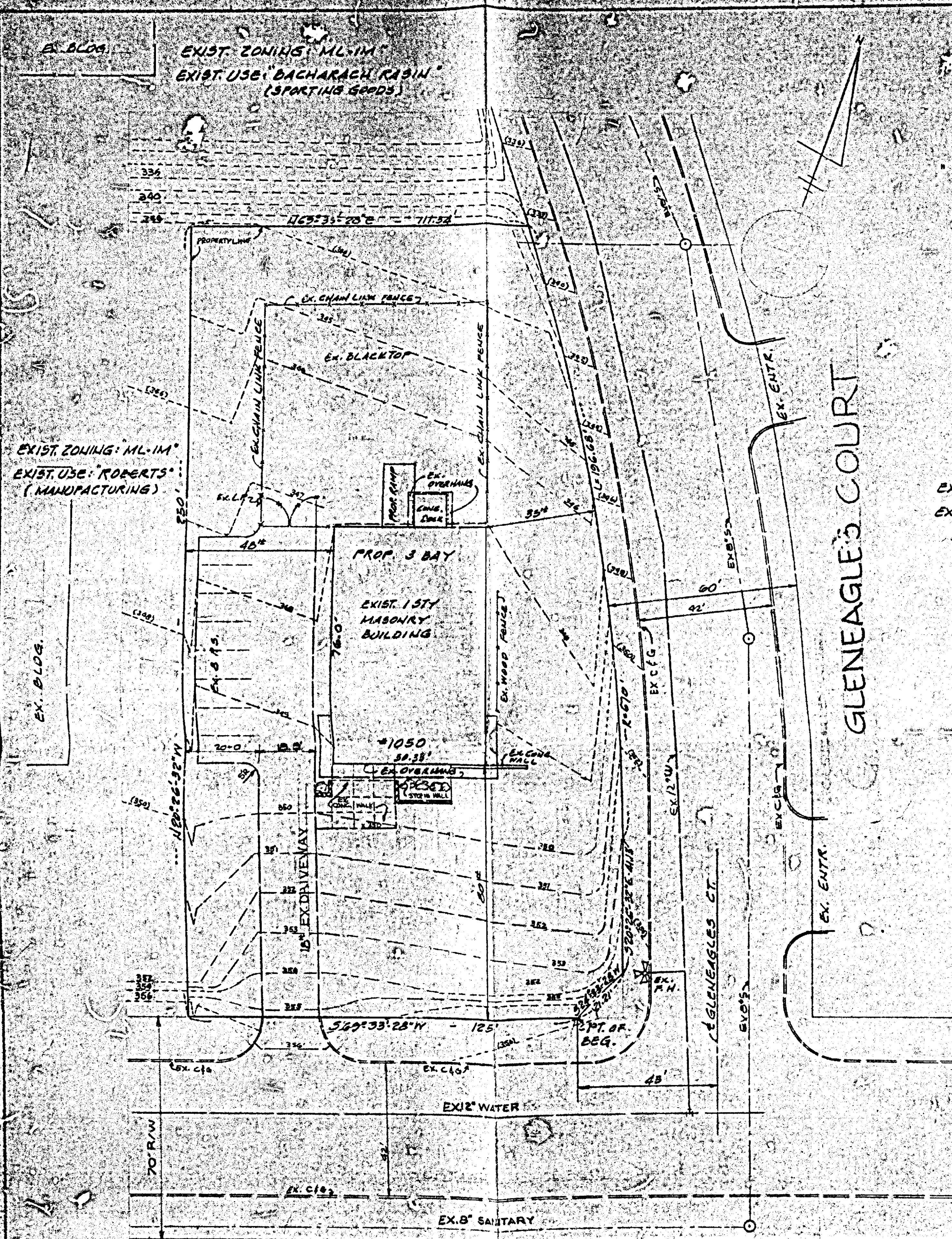
The industrial park is very well maintained and every effort should be made to enhance existing conditions. Plant screening should be provided along the north and west property lines.

The following conditions should apply if the petition is granted:

- No motor vehicles are to be stored overnight;
- No outside preparation or installation of mobile phones should be permitted;
- Limit hours of daily operation to 8:00 p.m.; and
- Restrict use of site to the installation of mobile phones. No unrelated mechanical work should be permitted.

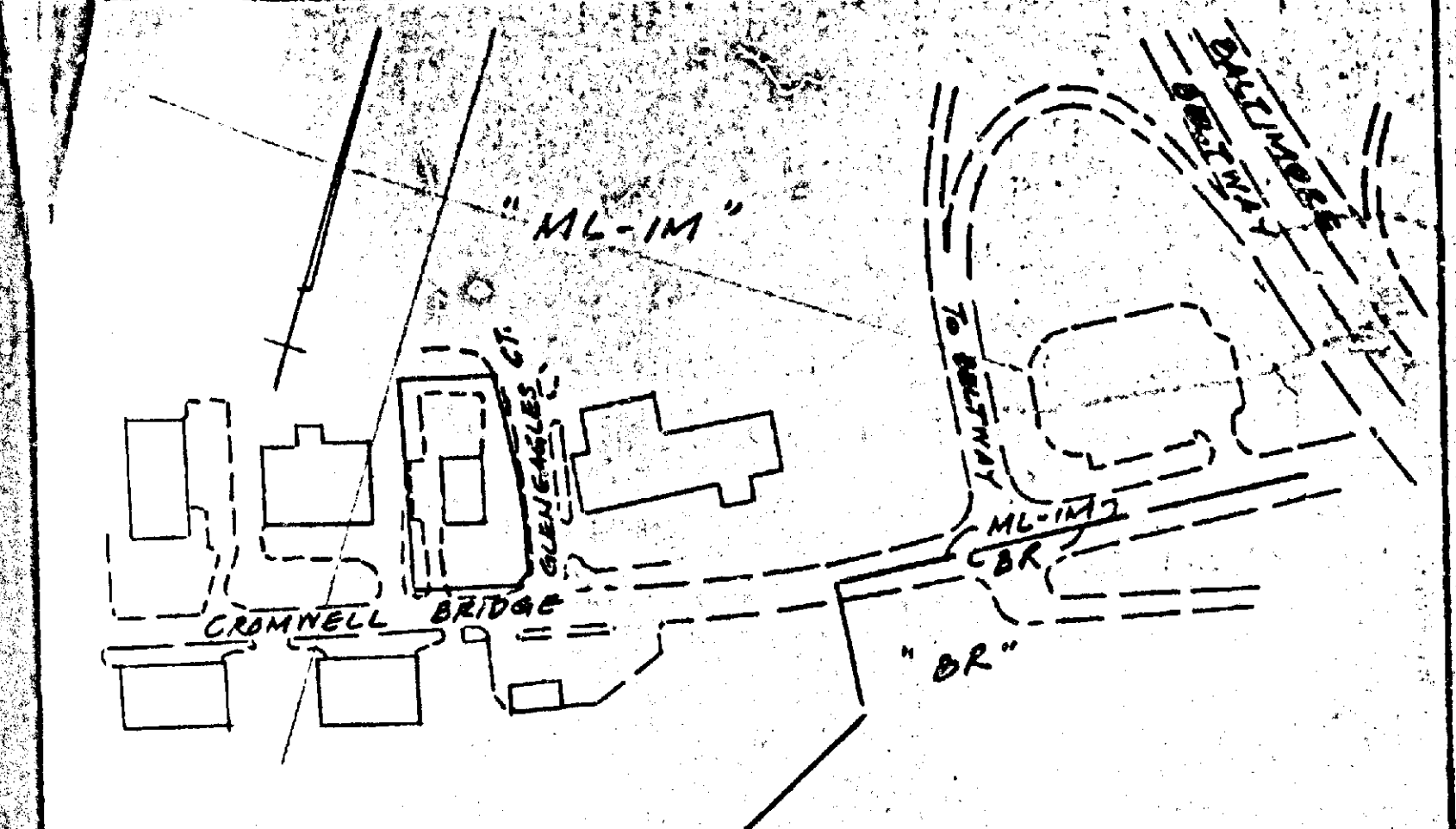
PK/sf





TOWSON INDUSTRIAL PARK  
22-31

EX. ST. ZONING: ML-1M  
EX. ST. USE: "HOLIDAY INN"



LOCATION PLAN  
SCALE: 1"=200'

### GENERAL NOTES

1. AREA OF SITE: 0.759 Acres ±
2. EXISTING ZONING OF SITE: "ML-1M"
3. EXISTING USE OF SITE: OFFICE & WAREHOUSE (VACANT)
4. PROPOSED ZONING OF SITE: "ML-1M" W/ SPECIAL EXCEPTION
5. PROPOSED USE OF SITE: OFFICE, SALES & SERVICE AREA (GTE)
6. REQUIRED OFF STREET PARKING:
  - A. EX. OFFICES: 1700 SF @ 3.3/1000 = 5.61 RS.
  - B. EX. WAREHOUSE & SERVICE AREA (3 BAYS): 1300 SF @ 3.3/1000 = 4.29 RS.
  - C. EX. SALES AREA: 1500 SF @ 5/1000 = 4.0 RS.
  - TOTAL = 13.95 = 14 RS.
7. NUMBER OF PARKING SPACES SHOWN:
  - A. EX. SPACES = 8, PROP. SPACES = 3, SERVICE BAY = 3 TOTAL = 14 RS.
8. PUBLIC UTILITIES EXISTING TO SITE
9. PETITIONER REQUESTING A SPECIAL EXCEPTION TO PERMIT A SERVICE GARAGE (FOR INSTALLING TELEPHONES IN AUTOMOBILES) IN A "ML-1M" ZONE.
10. ALL PARTS & MATERIALS TO BE STORED IN AN ENCLOSED AREA.
11. NO MORE THAN 3 PERSONS SHALL BE ENGAGED IN THE REPAIR OR FABRICATION OF GOODS ON THE PREMISES.
12. NO MORE THAN 5 H.P. SHALL BE EMPLOYED IN THE OPERATION OF ANY ONE MACHINE USED IN REPAIR OR FABRICATION, AND NOT MORE THAN 15 H.P. IN THE OPERATION OF ALL SUCH MACHINES.
13. STORAGE & DISPLAY OF MATERIALS, VEHICLES & EQUIPMENT WILL NOT BE MORE THAN 5' IN FRONT OF THE REQUIRED BUILDING LINE.
14. ALL PROPOSED IMPROVEMENTS ARE WITHIN THE "ML-1M" ZONE.
15. NO DAMAGED VEHICLES TO BE STORED ON SITE.

PLAT TO ACCOMPANY PETITION

FOR

### SPECIAL EXCEPTION

1050 CROMWELL BRIDGE ROAD

3RD ELEC. DIST.

SCALE: 1"=20'

BALTIMORE COUNTY, MD.

MAY 2, 1963



DATE	REVISION

PAUL LEE ENGINEERING, INC.  
304 W. PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204

59-021



HIGHWAYS DEPARTMENT OF BALTIMORE COUNTY  
APPROVED FOR STREET ALIGNMENT AND LOCATION

APPROVED FOR BALTIMORE COUNTY PLANNING BOARD

APPROVED FOR BALTIMORE COUNTY HEALTH DEPARTMENT

By *Albert J. Heston*  
ROAD ENGINEER  
9/14/60  
DATE

By *James H. Die*  
DIRECTOR  
9/16/60  
DATE

By *William H. Heston*  
DEPUTY STATE COUNTY HEALTH OFFICER  
9/16/60  
DATE

# TOWSON INDUSTRIAL PARK

9TH ELECT. DIST.  
SCALE 1" = 100'  
BALTO. CO. MD.  
AUG 25, 1960

P.W. As Computed 96012 W.B.R.  
Easement for Vehicle Access  
Date 8/16/60

NOTES:  
The streets and/or roads as shown hereon and the mention thereof in deeds are for the purpose of description only and the same are not intended to be dedicated to public use; these simple title thereof is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.

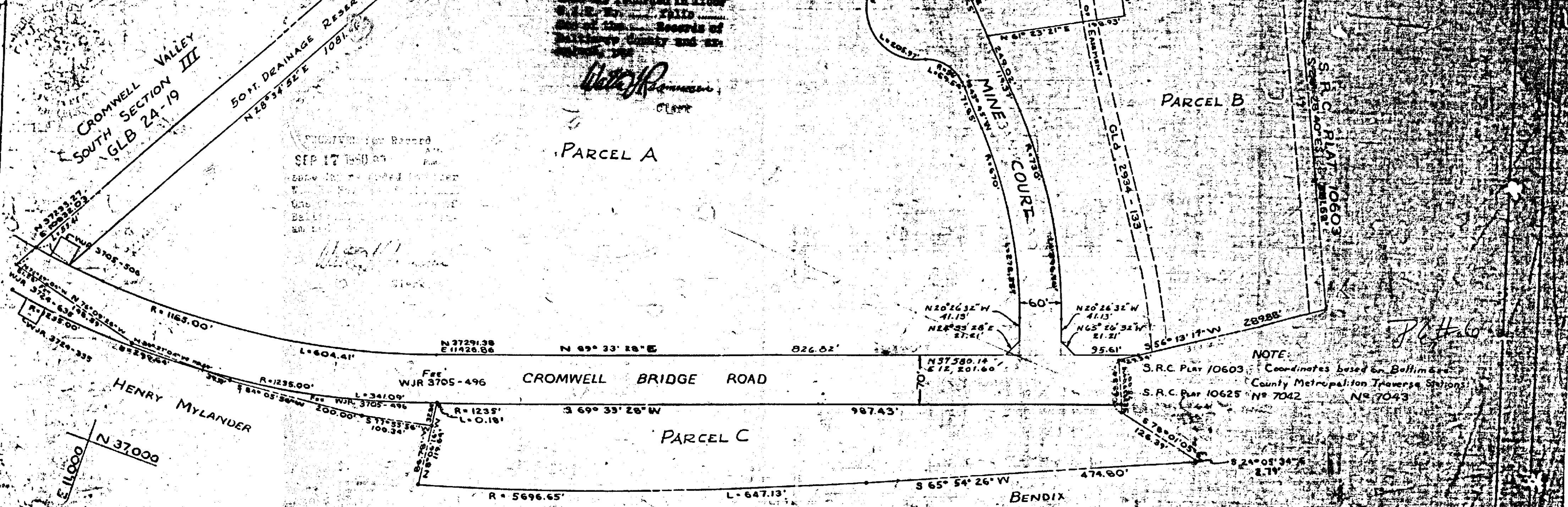
Coordinates shown on this plat are based on Metropolitan District of Baltimore County coordinated system.

The requirements of Sections 72A, 72B, and of Article 17 of the Annotated Code of Md., 1939 Edition (Title: Clerks of Court, Subtitle: Clerks of Circuit Courts) as far as they relate to the making of this plat and setting the markers hereon have been complied with.

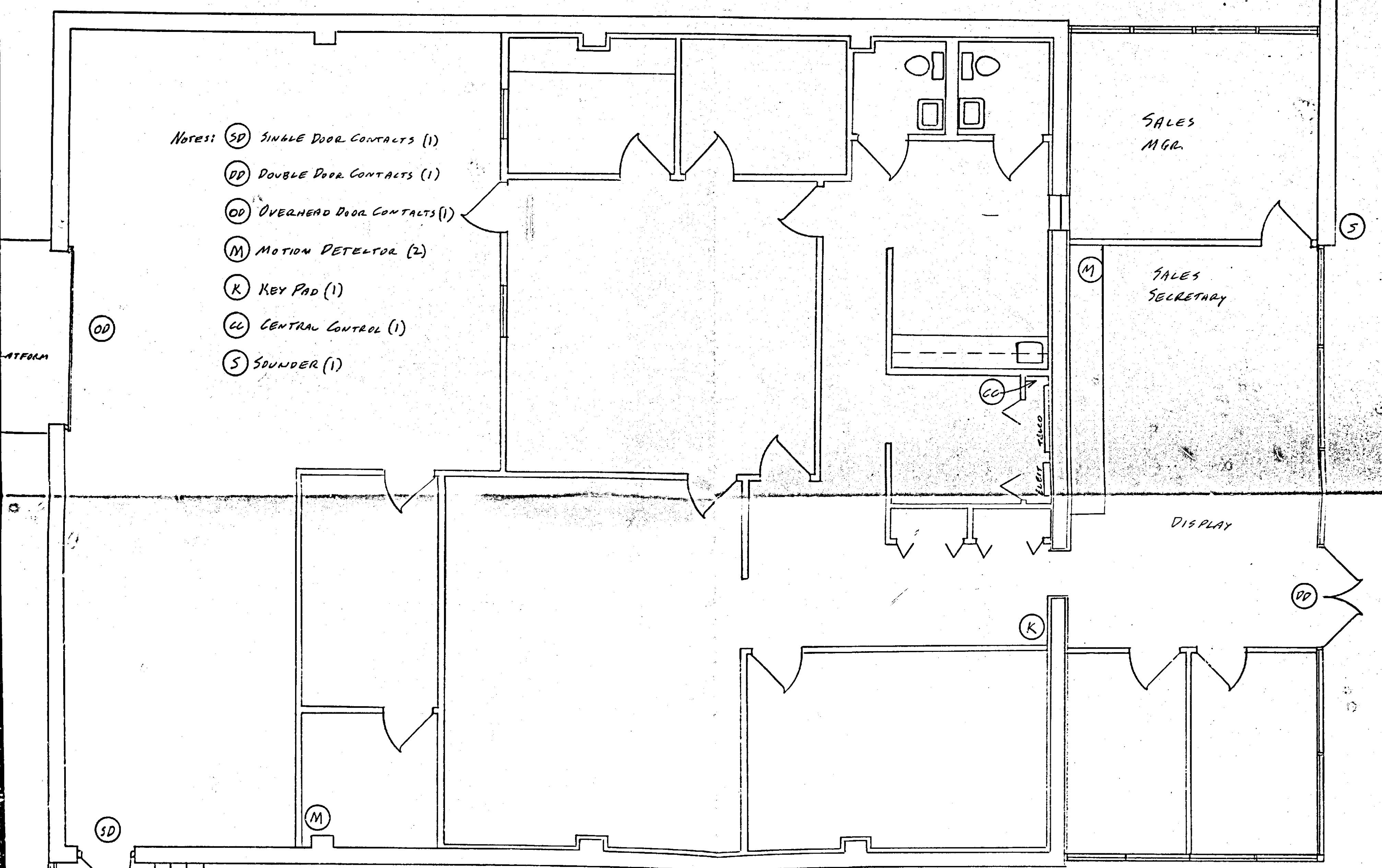
W.H. PRIMORS & ASSOCIATES  
BALTIMORE COUNTY PLANNING BOARD, PARTNER

W.H. PRIMORS  
REGISTERED LAND SURVEYOR #1231

W.H. PRIMORS & ASSOCIATES  
21 W. PENNSYLVANIA AVE.  
TOWSON 4, MARYLAND



- NOTES:
- (SD) SINGLE DOOR CONTACTS (1)
  - (DD) DOUBLE DOOR CONTACTS (1)
  - (OD) OVERHEAD DOOR CONTACTS (1)
  - (M) MOTION DETECTOR (2)
  - (K) KEY PAD (1)
  - (CC) CENTRAL CONTROL (1)
  - (S) SOUNDER (1)



SECURITY LAYOUT

GTE CELLULAR COMMUNICATIONS CORPORATION  
1050 CROMWELL BRIDGE ROAD  
TOWSON, MD. 21204  
SCALE: 1/4" = 1'-0"  
REVISED 6-15-89